

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ADAM MICHAEL TOMAINE : **CIVIL ACTION**
:
v. : **NO. 20-3991**
:
COMMONWEALTH, *et al.* :

ORDER

AND NOW, this 22nd day of February 2021, upon considering the amended Petition for a writ of habeas corpus under section 2241 (ECF Doc. No. 7), the Response to the Petition (ECF Doc. No. 16), Petitioner's Reply (ECF Doc. No. 19), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. We **DENY** and **DISMISS** the amended Petition for a writ of habeas corpus (ECF Doc. No. 7) without prejudice to Petitioner seeking habeas relief if warranted after exhausting his claims through state court;
2. We **DENY** a certificate of appealability; and,
3. The Clerk of Court shall **close** this case.


KEARNEY, J.